

BILL NO. S-70-10-08

SPECIAL ORDINANCE NO. S-591-70

AN ORDINANCE approving Sewer Agreement with NIEMEYER CORP. for construction of a Sanitary Sewer in Trier Ridge Park, Section III.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Sewer Agreement, approved September 22, 1970, between NIEMEYER CORP., as Developer, and the CITY OF FORT WAYNE, INDIANA, by and through its Mayor and Board of Public Works, as City, for the construction of a Sanitary Sewer in Trier Ridge Park, Section III, as follows:

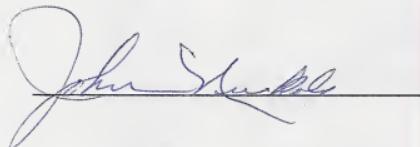
SANITARY SEWER LATERAL NO. 2: An 8-inch sanitary sewer commencing at the northeast corner of Lot No. 160 of Trier Ridge Park, Section III, Fort Wayne, Allen County, Indiana, running in a straight west-erly direction along the south side of Debeney Drive to a point 50 feet to the west of the northeast corner of Lot No. 134 of said Trier Ridge Park, Section III, said sewer being approximately 395 feet in length, servicing Lot No. 159 and further servicing Lot Nos. 128, 219, 130, 131, 132, 133 only if said lots are used as individual residential lots.

SANITARY SEWER LATERAL NO. 2: An 8-inch sanitary sewer commencing at the northwest corner of Lot 142 and the northeast corner of Lot 134 said point being at the location of the easement next to said lots in Trier Ridge Park, Section III, Fort Wayne, Allen County, Indiana, running in a straight southerly direction along said easement to a point just south of the northeast corner of Lot 141, said sewer being approximately 565.14 feet in length, servicing Lots 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, and 148.,

the total cost of said sewer to be borne by Developer, all as more particularly set forth in said Agreement, which is on file in the office of the Board of Public Works, and is by reference incorporated herein and made part hereof, is hereby in all things ratified, confirmed and approved.

SECTION 2. That the Developer, and any owner or owners of land, their successors in title and assigns, which is now or may hereafter be located outside the corporate limits of the City of Fort Wayne, Indiana, who taps into the water main covered in said Agreement, or any extension thereof, shall be deemed to thereby waive his, her, their or its right to remonstrate against or otherwise object to, interfere with, or oppose any pending or future annexation to said City of Fort Wayne, Indiana, of such land or territory in which said land is located.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.



APPROVED AS TO FORM
AND LEGALITY

CITY ATTORNEY

Read the first time in full and on motion by Nuckols seconded by Rousseau and duly adopted, read the second time by title and referred to the (Committee on) Public Works (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of 196____, at _____ o'clock P.M., E.S.T.

Date: 10-13-70

Harold G. Bonahoom
City Clerk

Read the third time in full and on motion by Fay seconded by Steigerwald and duly adopted, placed on its passage.

Passed ~~(E.S.T.)~~ by the following vote:

AYES	<u>8</u>	NAYS	<u>0</u>	ABSTAINED	_____	ABSENT	<u>1</u>	to-wit:
Adams	✓							
Dunifon	✓							
Fay	✓							
Geake	✓							
Nuckols								
Robinson	✓							
Rousseau	✓							
Steigerwald	✓							
Tipton	✓							

Date 10-27-70

Harold G. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)(General)(Annexation)(Special)(Appropriation)~~ Resolution No. S-591-70 on the 27th day of October, 19670.

ATTEST: (SEAL)

Harold G. Bonahoom
City Clerk

Herbert K. Lipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of October, 19670 at the hour of 8:30 o'clock A.M., E.S.T.

Harold G. Bonahoom
City Clerk

Approved and signed by me this 28th day of October, 19670, at the hour of 9:19 o'clock A.M., E.S.T.

Harold S. Zeis
Mayor

Bill No. S-70-10-08

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance
approving Sewer Agreement with NIEMEYER CORP. for construction of a Sanitary Sewer
in Trier Ridge Park, Section III.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Do PASS.

JOHN NUCKOLS, Chairman

CELIA ANN FAY, Vice-Chairman

THOMAS G. ADAMS

JACK K. DUNIFON

EDWIN J. ROUSSEAU

Lelia Amy Foy
Theresa Heggen
John D. Ferguson
John R. Romney

CONCURRED IN
DATE 10-27-70 FUAD G. BONAHOOM, CITY CLERK